

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**HARLEY D. PYRON,**

**Defendant.**

**Case No. 8:05CR334**

**MEMORANDUM  
AND ORDER**

This matter is before the court on parties' oral motion to determine competency of Defendant Harley D. Pyron. On February 26, 2015, a Final Hearing for Revocation of Supervised Release was held and those present at the hearing included the defendant, his counsel, Michael F. Maloney, Assistant U. S. Attorney Fredrick D. Franklin and Probation Officer Wendy A. Koontz. During the hearing, evidence was adduced regarding the defendant's competency to proceed with the hearing. For good cause shown, the motion for a determination of competency will be granted.

**IT IS ORDERED:**

1. The parties' oral motion to determine competency is granted and a psychiatric evaluation shall be conducted and a determination made of the Defendant's competency to proceed with the Supervised Release Violation Hearing;
2. Pursuant to 18 U.S.C. § 4241, the Defendant is remanded to the custody of the Attorney General for placement in a suitable facility to be examined for a reasonable period of time, not to exceed thirty (30) days, to determine whether defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense;

3. A psychiatric or psychological report shall be filed with the court with copies provided to counsel of record at the completion of the period of examination;
4. Upon the receipt of a copy of the report required by the above paragraph, counsel shall confer with my courtroom deputy, Marian Frahm, to schedule a hearing pursuant to 18 U.S.C. § 4247(d) on the Defendant's competency to proceed with the Supervised Release Violation Hearing;
5. The United States Marshal shall immediately, without delay, transport the Defendant to the facility as identified by the Attorney General of the United States, in accordance with this order, at no cost to the Defendant; and
6. The Clerk is directed to deliver a copy of this Order to the U.S. Marshal for this district.

DATED this 27<sup>th</sup> day of February, 2015.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge